

### **Remarks/Arguments**

Reconsideration of this application is requested.

#### **Extension of Time**

A request for a two month extension of the period for response to the Office Action mailed on September 18, 2006 is enclosed. Since February 18, 2007 is a Sunday, and February 19, 2007 is a federal holiday, the extended period for response expires on February 20, 2007.

#### **Claim Status**

Claims 13, 14, 17, 18, 21, 25-27 and 31-34 are pending. Claims 13, 14, 17, 18, 21, 25-27, 32 and 33 are allowed. Claims 31 and 34 are amended.

#### **Claim Rejections – 35 USC 103**

Claim 31 is rejected under 35 USC 103(a) as obvious over Nishimo (JP 401311744) in view of Irube (US 6,377,818) and Kunugi (JP 408265450). Claim 34 is rejected as obvious over Nishimo in view of Irube, Kunugi and Sato (JP 406296277). In response, the rejections are traversed and claim 31 is amended to clarify distinctions relative to the cited references.

First, applicant notes that claim 31, as amended, is believed to include the subject matter responsible for the allowance of claim 13. Thus, claim 31 and claim 34 dependent thereon should be allowed for the same reasons as claim 13.

Moreover, with respect to claim 31, applicant disagrees with the Examiner's assertion that Kunugi "discloses video telephone system which teaches the following: including data type information which identifies telephone communication or visual telephone communication". Kunugi does not disclose data type information. In Kunugi, a telephone number is checked to determine whether or not the number is registered to the terminal apparatus. Thus, Kunugi just refers to the telephone number, which is not data type information.

With respect to claim 34, the Examiner further asserts that "Sato discloses video telephone system" in which "when a key (reads on 22) is pressed, the application program in correspondence with data type information is activated", and

that claim 34 is therefore obvious. Applicant disagrees. First, Sato discloses that "the image information stored in moving image filing memory 14 in advance and the voice information stored in the voice memory 19 are transmitted" upon "operating an operating part 22". However, there is no suggestion or mention of "in correspondence with data type information" as required by claim 34. Moreover, Sato does not disclose or suggest that "a key is pressed" as is also required by claim 34.

For these reasons, claims 31 and 34 are not obvious over the art of record, and the rejections under 35 USC 103 should be withdrawn.


### Conclusion

This application is now in condition for allowance. The Examiner is invited to contact the undersigned to resolve any issues that remain after consideration and entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,

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Date: February 20, 2007

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